

REMARKS

The Examiner has rejected claims 47 - 48 as anticipated by Erickson (US 5,765,152). Claim 48 specifies that the “hotspot includes an icon representing an action”. As used in claim 48, the word “icon” is supported by element 3 in the figures. This is introduced and explained on page 7 of the application lines 18 – 30. As is well known in the computer field an “icon” is a representative visual symbol, other than textual symbols, that is intended to communicate with a user other than through written language.

Erickson does not disclose or suggest the use of an icon within the hotspot. In Figure 7 of Erickson, the button that can be selected by a user is not labeled with an icon but only with the word “LICENSIT!”. Nowhere in the text does Erickson suggest that an icon might be used to indicate to a user that a hotspot including the icon can be selected by the user to obtain licensing information for the work of authorship from a remote server.

Applicant has amended claim 47 to include the limitation of claim 48, thereby rendering claim 47 allowable over the cited prior art. Claim 48 has been cancelled. Claims 49 – 56 depend from claim 47 and are therefore allowable.

Claim 57 stands rejected as anticipated by Erickson. Claim 57 specifies a method for the automated granting of licenses, creation of records of licenses granted, assigning a unique identification to each record of a granted license, and providing the unique license identifier to the licensee. Erickson describes each of these steps except for the last: the Erickson system does not provide to any client computer a unique license identifier to identify a record with information about a granted license.

Instead, in the Erickson system, “this information is not available for general users; but is typically available only to the administrator who setup the servers”. Column 19 lines 54 – 56. Erickson also describes this aspect of his system by stating: “each license transacted through the server is stored in a file, such as within a computer memory. In this way, the owner or

administrator of the documents can assess the licensing fees generated by the documents.”
Column 26 lines 51 – 55. Thus, in the Erickson system, an identifier for a record created on the server about each license transacted through the server is not provided to the licensee.

In the applicant’s system, providing the license identifier to the licensee produces an important benefit: the licensee may publish the license identifier along with the licensee’s derivative work of authorship so that others can look up the license record on the server to verify that a valid license was granted, as further specified in claim 60.

For the reasons presented above, claim 57 is allowable over the Erickson prior art. Claims 58 – 64 depend from claim 57 and are therefore also allowable.

For independent claim 65 and its dependant claims 66 – 68, to obtain an allowance of this patent as soon as possible, applicant has cancelled the claims rather than presenting amendments or argument to achieve allowance. Applicant may present these or similar claims in a continuation application.

For independent claim 69 and its dependant claims 70 – 71, to obtain an allowance of this patent as soon as possible, applicant has cancelled the claims rather than presenting amendments or argument to achieve allowance. Applicant may present these or similar claims in a continuation application.

Claims 72 – 76 are allowable for the same reasons as claims 57 – 64. Element (b) of claim 72 specifies that the clearance component provides to the second client system a second code corresponding to a license granted for the work of authorship and generates a corresponding license record which is accessible from a client computer as a web page corresponding to the second code. This allows a verification from any client computer that a license was granted for a particular derivative work. Erickson discloses nothing like this.

Claims 73, 74, and 76 are allowable because they depend from an allowable claim.

Claim 77 is allowable over Erickson for the same reasons as claims 57 and 72. Element (c) of claim 77 includes a limitation that the unique license identifier is provided to the licensee (“the user supplying the acceptance”). Claims 78 – 80 are allowable because they depend from claim 77.

For independent claim 81 and its dependant claims 82 - 83, to obtain an allowance of this patent as soon as possible, applicant has cancelled the claims rather than presenting amendments or argument to achieve allowance. Applicant may present these or similar claims in a continuation application.

New Claims 84 -93:

Prior to the amendment presented above, claim 47 focused on the hotspot that a viewer could select to receive a presentation of licensing terms from a remote server. As discussed above, claim 47 was amended to specify that the hotspot includes an icon as this is not disclosed by Erickson. As an alternate means of distinguishing the invention of former claim 47 from Erickson, applicant has presented new claim 84 which is a copy of the former claim 47 with an additional limitation that the work of authorship is viewable and the hotspot is presented on the client computer display as a viewable part of the work of authorship. In Erickson, the button on which one clicks to receive licensing information from a remote server is contained within a display that is not part of the work of authorship or, in Erickson’s words, “the document”. In the system taught by Erickson, each work of authorship or document contains header information that is not a part of the viewable work of authorship and is separately displayed on the user’s computer screen as a document or set of text unto itself with its own display window. In contrast, the invention of claim 84 specifies that the original work of authorship is a viewable work of authorship (excluding, for example, merely auditory works of authorship) and the original work of authorship has been modified by adding the hotspot to be a viewable part of the viewable work of authorship.

Claim 84 is therefore allowable over Erickson. New claims 85 - 93 depend from claim 84 and are therefore allowable.

If the Examiner has any questions regarding this matter, applicants request the Examiner contact the undersigned at the number listed below

Respectfully submitted,

GRAYBEAL JACKSON HALEY LLP

A handwritten signature in black ink, appearing to read "Jeffrey T. Haley". The signature is stylized with a large, sweeping "J" and "H".

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